

the issues raised in this dispute. Comments must be in English and provided in fifteen copies to Sandy McKinzy at the address provided above. A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the submitting person. Confidential business information must be clearly marked "BUSINESS CONFIDENTIAL" in a contrasting color ink at the top of each page of each copy.

Information or advice contained in a comment submitted, other than business confidential information, may be determined by USTR to be confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If the submitting person believes that information or advice may qualify as such, the submitting person—

(1) Must so designate the information or advice;

(2) Must clearly mark the material as "SUBMITTED IN CONFIDENCE" in a contrasting color ink at the top of each page of each copy; and

(3) Is encouraged to provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the URAA (19 U.S.C. 3537(e)), USTR will maintain a file on this dispute settlement proceeding, accessible to the public, in the USTR Reading Room: Room 101, Office of the United States Trade Representative, 600 17th Street, N.W., Washington, D.C. 20508. The public file will include a listing of any comments received by USTR from the public with respect to the proceeding; U.S. submissions to the panel in the proceeding; submissions, or non-confidential summaries of submissions, to the panel received from other parties in the dispute; as well as the report of the dispute settlement panel, and, if applicable, the report of the Appellate Body. An appointment to review the public file (Docket WTO/DS-164 "Argentina—Measures Affecting Imports of Footwear" may be made by calling Brenda Webb, (202) 395-6186. The USTR Reading Room is open to the public from 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday.

Kenneth P. Freiberg,

Deputy General Counsel.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Order 99-8-12; Docket OST-1999-5616]

Application of Jetblue Airways Corporation for Certificate Authority

AGENCY: Department of Transportation.

ACTION: Notice of Order to Show Cause.

SUMMARY: The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding JetBlue Airways Corporation fit, willing, and able, and awarding it a certificate of public convenience and necessity to engage in interstate scheduled air transportation of persons, property, and mail.

DATES: Persons wishing to file objections should do so no later than August 30, 1999.

ADDRESSES: Objections and answers to objections should be filed in Docket OST-1999-5616 and addressed to Department of Transportation Dockets, U.S. Department of Transportation, 400 Seventh Street, SW., Rm. PL-401, Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

FOR FURTHER INFORMATION CONTACT: Ms. Carol Woods, Air Carrier Fitness Division (X-56, Room 6401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-2340.

Dated: August 16, 1999.

A. Bradley Mims,

Acting Assistant Secretary for Aviation and International Affairs.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Notice of Establishment of Point of Contact between DOT and Small Business Concerns With Respect to Problems Arising out of Y2K Failures and Compliance With Federal Rules or Regulations

AGENCY: Office of the Secretary, DOT.

ACTION: Notice.

SUMMARY: DOT is establishing a point of contact with small business concerns with respect to problems arising out of Y2K failures and compliance with Federal rules or regulations. This action is required by the Y2K Act.

DATES: Effective August 20, 1999.

FOR FURTHER INFORMATION CONTACT:

Gerardo Franco, Department of Transportation, 400 7th Street SW., Washington, DC 20590, (202) 366-1902.

SUPPLEMENTARY INFORMATION: On July 20, 1999, the President signed H.R. 775, the "Y2K Act." The Act provides temporary relief for small business concerns that cannot comply with Federal rules and regulations because of Y2K problems. Among other things, it requires agencies to waive civil penalties for a first time violation of any federally enforceable rule by a small business (defined as 50 employees or less) that was due to a Y2K failure when the small business meets the standards for a waiver. An agency shall provide a waiver of civil penalties for a first-time violation, if the small business concern demonstrates, and the agency determines that:

(1) The small business concern previously made a reasonable good faith effort to anticipate, prevent, and effectively remediate a potential Y2K failure;

(2) A first-time violation occurred as a result of the Y2K failure of the small business concern or other entity, which significantly affected the small business concern's ability to comply with a Federal rule or regulation;

(3) The first-time violation was unavoidable in the face of a Y2K failure or occurred as a result of efforts to prevent the disruption of critical functions or services that could result in harm to life or property;

(4) Upon identification of a first-time violation, the small business concern initiated reasonable and prompt measures to correct the violation; and

(5) The small business concern submitted notice to the appropriate agency of the first-time violation within a reasonable time not to exceed 5 business days from the time that the small business concern became aware that the first-time violation had occurred.

An agency may impose civil money penalties authorized under Federal law on a small business concern for a first-time violation if:

(1) The small business concern's failure to comply with Federal rules or regulations resulted in actual harm, or constitutes or creates an imminent threat to public health, safety, or the environment; or

(2) The small business concern fails to correct the violation not later than 1 month after initial notification to the agency.

This relief does not apply to first-time violations caused by a Y2K failure occurring after December 31, 1999.